



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
CHEMICAL SAFETY
AND POLLUTION PREVENTION

VIA EMAIL

JUL 15 2014

Evan Parenti
Registration Specialist
FMC Corporation
1735 Market Street
Philadelphia, PA 19103

Subject: Label Amendment – Addition of Marketing Claims and Revised Directions for Use
Product Name: D-Foam Insecticide
EPA Registration Number: 279-3443
Submission Date: April 29, 2014
Decision Number: 492012

Dear Mr. Parenti:

The label amendment referred to above, submitted in connection with registration under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA), as amended is **acceptable**.

Should you wish to add/retain a reference to the company's website on your label, then please be aware that the website becomes labeling under the Federal Insecticide Fungicide and Rodenticide Act and is subject to review by the Agency. If the website is false or misleading, the product would be misbranded and unlawful to sell or distribute under FIFRA section 12(a)(1)(E). 40 CFR 156.10(a)(5) list examples of statements EPA may consider false or misleading. In addition, regardless of whether a website is referenced on your product's label, claims made on the website may not substantially differ from those claims approved through the registration process. Therefore, should the Agency find or if it is brought to our attention that a website contains false or misleading statements or claims substantially differing from the EPA approved registration, the website will be referred to the EPA's Office of Enforcement and Compliance.

Products released for shipment after 18 months from the date on this notice or the next printing of the master label whichever occurs first, must bear the new revised label. If these conditions are not complied with, the registration will be subject to cancellation in accordance with FIFRA. Amended labeling will supersede all previously accepted labels. Your release for shipment of this product constitutes acceptance of these conditions. As required by 40 CFR 156.10(a)(6), you must submit one copy of the final printed

label before the product is released for shipment. If you have any questions please contact Carlyn Petrella by phone at (703) 347-0439 or via email at "petrella.carlyn@epa.gov".

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Gebken", with a long horizontal flourish extending to the right.

Richard Gebken
Insecticide Branch PM 10 Team Leader
Registration Division (7505P)
Office of Pesticide Programs

PRECAUTIONARY STATEMENTS
Hazards to Humans & Domestic Animals

CAUTION

Harmful If swallowed or absorbed through the skin. Avoid contact with skin, eyes, or clothing. Prolonged or frequently repeated skin contact may cause allergic reactions in some individuals. Wash thoroughly with soap and water after handling and before eating, drinking, chewing gum, using tobacco, or using the toilet. Remove and wash contaminated clothing before reuse.

FIRST AID

If Inhaled: Move person to fresh air. If person is not breathing, call 911 or an ambulance, then give artificial respiration, preferably by mouth-to-mouth, if possible. Call a poison control center or doctor for further treatment advice.

If on Skin or Clothing: Take off contaminated clothing. Rinse skin immediately with plenty of water for 15-20 minutes. Call a poison control center or doctor for treatment advice.

If in Eyes: Hold eye open and rinse slowly and gently with water for 15-20 minutes. Remove contact lenses, if present, after the first 5 minutes, then continue rinsing. Call a poison control center or doctor for treatment advice.

If Swallowed: Call a poison control center or doctor for treatment advice. Have person sip a glass of water if able to swallow. Do not induce vomiting unless told to do so by the poison control center or doctor. Do not give anything by mouth to an unconscious person.

HOTLINE NUMBER: Have the product container or label with you when calling a poison control center or doctor, or going for treatment. You may also contact 1-(800)-331-3148 for Emergency Assistance. [For Information Regarding the Use of this Product Call 1-800-321-1 FMC (1362).]

ENVIRONMENTAL HAZARDS

This product is toxic to fish. Do not apply directly to any body of water. To protect the environment, do not allow pesticide to enter or run off into storm drains, drainage ditches, gutters or surface waters. Applying this product in calm weather when rain is not predicted for the next 24 hours will help to ensure that wind or rain does not blow or wash pesticide off the treatment area.

PHYSICAL OR CHEMICAL HAZARDS

Contents under pressure. Do not puncture or incinerate container. Exposure to temperatures above 130°F may cause bursting. Do not use in the vicinity of open flame or pilot lights. Do not apply to plastic, painted or varnished surfaces or directly into electronic equipment such as radios, TVs, computers, etc. DO NOT APPLY WHERE ELECTRICAL SHOCK HAZARDS EXIST.

DIRECTIONS FOR USE

It is a violation of Federal law to use this product in a manner inconsistent with its labeling. Remove pets, birds and cover fish aquariums before applying. In schools and nurseries do not apply when classrooms are in use nor when children are present. Do not apply this product in patient rooms while occupied or in any rooms occupied by the elderly or infirm. D-Foam Insecticide is a ready-to-use formulation intended to kill existing above-ground infestations of all labeled pests. D-Foam Insecticide may be used in above-ground areas where conditions are conducive to infestation by subterranean termites. Test first for staining on an inconspicuous place prior to use. **SHAKE WELL BEFORE EACH USE.** Hold container upright. Remove protective cap and direct injector into crack and crevice or void. Press button down and apply as directed.

WOOD INFESTING INSECTS:

Carpenter Ants, Carpenter Bees, Termites (Subterranean, Formosan and Drywood) – For control inside and outside of houses and other structures, apply as a general surface, spot, crack and crevice, or wall void application. To kill wood-destroying insect infestations in localized above-ground areas of the structure, inject into galleries or voids in damaged wood, or into spaces between damaged wooden structural members. Inject a sufficient amount (2 fl. oz of product will produce 1 gallon of foam) to allow for thorough coverage of all surfaces of the construction void being treated. D-Foam Insecticide has an expansion rate of approximately 60:1. Locate galleries by visual signs of infestation or through the use of mechanical sounding techniques. Where necessary, penetrate the galleries or voids by drilling holes to receive the injector tip. Distribute drill holes to adequately treat the infestation. Applications must be made to inaccessible structure voids by drilling and then injecting into the infested void. **For Termites:** the purpose of such applications is to kill workers or

winged forms which any may be present in the treated areas at the time of application. Not recommended as sole protection against termites. For active infestations, get a professional inspection. D-Foam Insecticide applications are not a substitute for mechanical alteration, soil treatment or foundation treatment.

For Carpenter Bees: Following treatment, the entrance holes must be left open 24 hours to be certain that returning adult bees are killed. When there is no activity, the hole may be sealed with a suitable sealant.

Wood-Destroying Insects Living Inside Trees, Utility Poles and Fencing: D-Foam Insecticide must be used as a spot treatment for control of above-ground termites inside trees, utility poles, fencing and decking materials and similar structural members. Wherever possible, locate an inferior infested cavity and inject in the appropriate quantities. Repeat applications as needed to maintain control of re-infestations

Aerial Termite Carton Nests in Trees: Termite carton nests in trees must be injected with foam using an injection applicator. Multiple injection points to varying depths may be necessary.

INDOORS

Crack and Crevice, Spot, and Surface Treatments: For the control of all labeled pests, apply thoroughly to all insect harborage areas, especially in cracks and crevices, and hidden areas around sinks and storage areas, behind baseboards, around doors and windows, behind and under cupboards, cabinets, refrigerators, dishwashers, sinks and stoves, the underside of shelves, drawers, bookcases, furniture and similar areas. Repeat as necessary.

Food/Feed Handling Establishments: This product is for use in Federally Inspected Meat and Poultry Plants as a crack and crevice treatment. Cover or remove exposed food/feed from the treatment area prior to application. All food processing surfaces should be thoroughly washed before use. Do not apply directly to food or food-handling surfaces. Except in federally inspected meat and poultry plants, spot or crack and crevice applications may be made while the facility is in operation. 1 second spray per spot. General surface applications must be used only when the facility is not in operation provided exposed food/feed has been covered or removed prior to application. Food/Feed handling establishments are defined as places other than private residences in which exposed food/feed is held, processed, prepared or served. Included also are areas for receiving, storing, packing (canning, bottling, wrapping, boxing), preparing, edible waste storage and enclosed processing systems (mills, dairies, edible oils, syrups) of food/feed. Serving areas where food/feed is exposed and the facility is in operation are also considered food/feed area.

Non-Food/Non-Feed Areas: Examples of non-food/non-feed areas include garbage rooms, lavatories, floor drains (to sewers), entries and vestibules, offices, locker rooms, machine rooms, boiler rooms, mop closets and storage (after packaging, canning or bottling).

OUTDOORS

Crack and Crevice, Spot, and Surface Treatments on Outside Surfaces of Buildings: For the control of all labeled pests, apply to the foundation of buildings where insects are active and may find entrance up to a height of 2 to 3 feet. Construction practices, soil subsidence, and other factors may create situations in which a continuous chemically treated barrier cannot be provided when using conventional liquid applications alone. When necessary, conventional treatments may be supplemented through the use of foam to provide a continuous treated barrier. Applications may be made behind veneers (concrete or wood), piers, chimney bases, into rubble foundations, into block voids, or structural voids, wall voids, under slabs, stoops, porches or to the soil in crawl spaces and other similar voids. Termite carton nests building voids may be injected with foam using an injection applicator. Multiple injection points to varying depths may be necessary. It is desirable to physically removed carton nest material from building voids when such nests are found.

STORAGE AND DISPOSAL

Storage: Do not store near heat or open flame. Store in a cool, dry area away from children.

Pesticide Disposal and Container Handling: Do not puncture or incinerate! Non-refillable container. Do not reuse or refill this container. If empty: Place in trash or offer for recycling, if available. If partly filled: Call your local solid waste agency for disposal instructions.

NOTICE: Buyer assumes all responsibility for safety and use not in accordance with directions.

[Conditions of Sale and Limitation of Warranty and Liability:

NOTICE: Read the entire Directions for Use and Conditions of Sale and Limitation of Warranty and Liability before buying or using this product. If the terms are not acceptable, return the product at once, unopened, and the purchase price will be refunded.

The Directions for Use of this product must be followed carefully. It is impossible to eliminate all risks inherently associated with the use of this product. Injury, ineffectiveness or other unintended consequences may result because of such factors as manner of use or application, weather or conditions beyond the control of FMC or Seller. All such risks shall be assumed by Buyer and User, and Buyer and User agree to hold FMC and Seller harmless for any claims relating to such factors.

Seller warrants that this product conforms to the chemical description on the label and is reasonably fit for the purposes stated on the Directions for Use when used in accordance with the directions under normal conditions of use. TO THE EXTENT CONSISTENT WITH APPLICABLE LAW, FMC MAKES NO WARRANTIES OF MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, NOR ANY OTHER EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE SELECTION, PURCHASE, OR USE OF THIS PRODUCT. Any warranties, express or implied, having been made are inapplicable if this product has been used contrary to label instructions, or under abnormal conditions, or under conditions not reasonably foreseeable to (or beyond the control of) seller or FMC, and buyer assumes the risk of any such use.

To the extent consistent with applicable law, FMC or seller shall not be liable for any incidental, consequential or special damages resulting from the use or handling of this product. THE EXCLUSIVE REMEDY OF THE USER OR BUYER, AND THE EXCLUSIVE LIABILITY OF FMC AND SELLER FOR ANY AND ALL CLAIMS, LOSSES, INJURIES OR DAMAGES (INCLUDING CLAIMS BASED ON BREACH OF WARRANTY, CONTRACT, NEGLIGENCE, TORT, STRICT LIABILITY OR OTHERWISE) RESULTING FROM THE USE OR HANDLING OF THIS PRODUCT, SHALL BE THE RETURN OF THE PURCHASE PRICE OF THE PRODUCT OR, AT THE ELECTION OF FMC OR SELLER, THE REPLACEMENT OF THE PRODUCT.

This Conditions of Sale and Limitation of Warranty and Liability may not be amended by any oral or written agreement.]

Manufactured for:
FMC Corporation
Agricultural Products Group
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Philadelphia, PA 19103